IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 11.06.2007

CORAM:

THE HONOURABLE MR.JUSTICE A.C.ARUMUGAPERUMAL ADITYAN

Crl.A.No.293 of 2001
and
Crl.M.P.Nos.2052 & 2053 of 2001

M.Sekar .. Appellant

vs.

Inspector of Police
P-4,Basin Bridge Police Station,
Chennai .. Respondent

Prayer: This appeal has been preferred against the Judgment dated 25.1.2001 of the learned V Additional Sessions Judge, Chennai in S.C.No.337 of1999.

For Appellant : No appearance
For Respondent : Mr.V.R.Balasubramaniam
Additional Public Prosecutor

JUDGMENT

This appeal has been preferred against the judgment in S.C.No.337 of 1999 on the file of V Additional Sessions Judge, Chennai.

2. The accused in the said session case was charged under sections 302 IPC and 201 IPC r/w 34 IPC. After the trial, the learned trial Judge has acquitted the accused on the ground that the prosecution has failed to prove the guilt of the accused beyond any reasonable doubt. While disposing of the case, the learned Session Judge has passed an order with regard to the disposal of the property which is marked as M.O.5 an Autorickshaw bearing Registration No. TN-02-Z-3645 to the effect that it should be confiscated to the Government. Against the said order, regarding the disposal of the property in the Sessions Case itself, the petitioner, who according to him, is the owner of M.O.5 Authorickshaw bearing Registration No.TN-02-Z-3645 has preferred this appeal.

3. When the matter is taken up for yesterday(9.6.2007), there was no representation on behalf of the appellant. Even today also, no representation for the appellant. Heard Mr.V.R.Balasubramaniam, the

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learned Additional Public Prosecutor, who would admit that no appeal has been preferred by the State against the order of acquittal. Along with this appeal, the appellant has not produced any document like R.C.Book, Insurance Certificate to show that he is the owner of the Autorickshaw bearing Registration No.TN-02-Z-3645 which was marked as M.O.5 in the above said Session Case.

4. If the petitioner files necessary application before the Sessions Judge for return of the property with the relevant documents to show that he is the owner of M.O.5 Autorickshaw bearing Registration No.TN-02-Z-3645 the same should be considered and necessary orders to be passed by the learned Session Judge.

5. With this observation, the appeal is closed. Consequently connected Crl.M.P.Nos.2052 and 2053 of 2001 are also closed.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

sg

To

1. The V Additional Sessions Judge, Chennai
2. The Principal Sessions Judge, Chennai
3. The Public Prosecutor, High Court, Madras.
4. The Inspector of Police,
   P-4, Basin Bridge Police Station,
   Chennai.

Crl.A.No.293 of 2001

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RVL 15.06.2007

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